IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 19212 of 2004(K)

PETITIONERS:

1. N.C.UNNIPPATHUMMA,
   D/O. K.C.KAYAKUTTY HAJI, AGED 70 YEARS,
   PATAMVEEDUPARAMBA HOUSE, RARICHAN ROAD,
   KACHERI DESOM AND VILLAGE,
   KOZHIKODE TALUK.

2. T.K.ABDUL LATHEEF,
   S/O. T.K.PAREEKUTTY HAJI, AGED 48 YEARS,
   RARICHAN ROAD, KACHERI DESOM AND VILLAGE,
   KOZHIKODE TALUK.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS
   SECRETARY TO THE GOVERNMENT, LOCAL
   ADMINISTRATION, SECRETARIAT, TRIVANDRUM.

2. THE CORPORATION OF CALICUT,
   REPRESENTED BY ITS SECRETARY, CALICUT.

ADV. SRI.P.V.KUNHIKRISHNAN,SC,KOZHIKODE CORPN.
GOVERNMENT PLEADER SRI. MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 19212/2004 K

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PLAN SUBMITTED BY THE PETITIONER BEFORE THE R2.

EXT.P2. COPY OF THE NOTICE DT. 8/1/2002 REJECTING THE APPLICATION FOR THE PETITIONER.

RESPONDENT'S EXHIBITS - NIL.

True copy

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KURIAN JOSEPH, J.

W.P(C) No.19212 of 2004

Dated this the 23rd day of November, 2007

JUDGMENT

petitioners are aggrieved by Ext.P2 whereby the request for permission for construction of a building was rejected on the ground that proposal for acquisition was pending. In view of the decision of this court in Padmini v. State of Kerala, 1999 (3) KLT 465 it is for the petitioner to approach the 2nd respondent producing a copy of this judgment and also a copy of the judgment referred to above in which case the needful in the light of the judgment referred to above shall be done by the 2nd respondent within a period of two months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C).No.19212 of 2004

JUDGMENT

23rd November, 2007